

REMARKS

Claims 1-25 are now presented for examination in this application. Claims 1-16 have been amended to define still more clearly what Applicants regard as their invention. Claims 17-25 have been added to assure Applicants a fuller measure of protection of the scope to which they deem themselves entitled.

Claims 1, 6, 9, 10, 11, 12, 14, 15 and 20 are independent claims

In paragraph 4 of the Office Action, the Examiner alleges that the Information Disclosure Statement filed on March 14, 2000, fails to comply with C.F.R. 1.98(a)(1), in not being accompanied by a copy of the cited information. The information in question was solely a U.S. patent application. The Examiner is respectfully reminded that at that time, copies of co-pending U.S. applications were not required to be submitted to obtain consideration in an Information Disclosure Statement. Accordingly, the Examiner is requested to withdraw the objection to that Statement, and to consider the information cited therein.

Applicants will submit corrected drawings, as required by the form PTO-948 and the Office Action, in due course.

In the Office Action, Claims 13 and 14 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In response, the dependency of Claims 13 and 14 has been changed. Withdrawal of this rejection is respectfully requested.

Claims 1, 3-4, 6, 15 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,608,859 (Taguchi) in view of the Microsoft Press *Computer Dictionary*, 1997, 3rd Edition, page 305. Claims 2, 7, 8 and 13 were rejected

under Section 103(a) as being unpatentable over *Taguchi* and *Microsoft Press* in view of U.S. Patent 6,005,560 (Gill et al.); Claims 9, 10 and 14, as being unpatentable over *Taguchi* in view of *Gill*; and Claims 5, 11 and 12, as being unpatentable over *Taguchi*, *Microsoft Press* and *Gill* in view of U.S. Patent 6,144,375 (Jain et al.).

Claim 1, as amended, of the present application recites (i) a method of processing at least part of a data set of multi-media input information, (ii) the data set comprising at least one of video data, still-image data, and audio data, the method comprising the steps of: (iii) determining first meta-data from at least one of (a) the data set, and (b) second meta-data associated with the at least one data set; (iv) determining, depending upon the first meta-data, a set of instructions from a template; and (v) applying the instructions to the data set to produce processed output data.

The term “*a data set*” can be understood by considering the description at page 6, lines 4 and 5, which refer to “audio/video recording or multimedia recording or presentation”.¹ Thus the term encompasses (among many other possibilities) a single video clip, or a single audio clip. However, the description further states, at page 12, lines 1-5, that “a further example ... involves application of the template to multiple input content to achieve one output content ... various types of input content may be accepted including audio, video, ... or multiple sources of each of these”. Thus the term “*a data set*” can also encompass multiple video clips, and/or multiple audio clips.

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It is to be understood, of course, that all references to the specificaiton arte by way of illustration only, and that the claims are not liited by the details specifically referred to.

In addition to the scope of content material encompassed within the term “a data set”, the manner in which the content is arranged in the data set is also pertinent. The description states at page 12, line 7, that “... the embodiment ... may treat each input content as a portion of the sum of the entire input content applied”. Accordingly, the method of Claim 1 deals with single or multiple items of media content in the same way, ie by considering them as “*a portion of the sum of the entire input content applied*”. This can be verified by considering Appendix I for the “Movie Director Example”. Lines 11 and 12 of the software routine *main()* refer to use of “parsing”, applied respectively to the content (ie the data set) and the rules (ie the template). By parsing the media content and the template rules, the method is able to process a part or a portion of *a data set*, be the *data set* a single video clip, or a number of different media input items arranged as an aggregate whole. The method is thus able to parse the *data set* and apply the template to *parts* or portions of *the data set* as required.

As described at page 8, lines 19-27, with respect to Fig. 3 and Table 1, portions of input content may be selected and extracted on from the *whole content* or from *within a clip* (see Table 1, rows 1 and 2). Table 2, rows 1-3, show how the extracted portions may be reassembled in virtually any order. Accordingly, the method is able to process *a part* or a portion from within the *data set* which is taken to mean one or more items of multi-media input content, arranged as an aggregated whole.

In conclusion, the term “*a data set*” is taken to mean one or more items of multi-media input content, arranged as an aggregated whole. Thus, the term *part of a data set* refers to any portion, from within the whole of the *data set* where the term is construed

as noted. For example, a *part* may constitute a single video clip, a part thereof, or one-and-a-half video clips.

Taguchi relates to a scenario editing apparatus by which presentation positions, presentation times and presentation effects of a plurality of multi-media data scenarios can be collectively designated and edited (Abstract). *Taguchi* has a number of different data collections in Figs. 2-9. It will be shown that these data collections do not however suggest the “*data set*” recited in Claim 1.

Taguchi also relates to application of a scenario template to a data collection. It will be shown however that the template in *Taguchi* is not applied to *a part of a data set* as recited in Claim 1.

THE “DATA SET”

Fig. 2 of *Taguchi* shows an example of multi-media presentation information (column 4, lines 13-16). Media presentation information as illustrated in Fig. 2 are stored in a block 101 (column 4, lines 9-16). The term *block* will be used to denote the various functional processes in *Taguchi* for ease in explanation. Fig. 2 in *Taguchi* represents “multi-media data and information of the presentation positions, the presentation times and presentation effects of the data” (column 4, lines 11-16). Fig. 2 is thus clearly a tabular collection of meta-data (e.g., “Media Type”) attributes which relate to referenced individual media items (e.g., “PICT1.PIC”). It is apparent that the media content items referred to in the second column of Fig. 2, i.e., PICT1.PIC, ... AUDI2.AUD, constitute individual media content items. *Taguchi* does not disclose or suggest any other interpretation in this regard. Accordingly, Fig. 2 does not comprise one or more items of

multi-media content, arranged as an aggregated whole, and thus a data collection according to Fig. 2 does not fall within the scope of a *data set* according to the present application.

Two sets of media presentation information as shown in Figs. 3 and 4 are selected by the user using a block 102 (column 4, lines 17-20, and column 5, lines 38-40). Then a block 106 compares media types in the data collections in Figs. 3 and 4 and selects data items common to both collections, these common items being presented in Fig. 5 (column 5, lines 54-60). Data items which are different between the two collections in Figs. 3 and 4 are shown on the I/O management section 103 so that the user can select either one of the differing data items, or can average the differing values. The information selected by the user is then added as shown in Fig. 6 (column 5, line 60, to column 6, line 8). Then, a block 108 adds a scenario template number and a number denoting the number of individual media data items that are to be operated upon by the scenario template. The scenario template is shown in Fig. 7 (column 6, lines 9-13). Figs. 3-7 comprise only attributes of media content items, and not individual content items themselves. Thus the data collections in Figs. 3-7 do not comprise one or more items of multi-media input content, arranged as an aggregated whole, and thus do not teach or suggest the “*data set*” recited in Claim 1.

Media data is selected from storage block 109 shown in Fig. 8 (column 6, lines 17-19). The data collection in Fig. 8 comprises “data identifiers - ID numbers - or keywords for identification of presentation data, and the media types, the sizes an the times of the individual data” (column 4, lines 61-65). Accordingly the data collection in Fig. 8 refers to individual content items and does not comprise one or more items of multi-media

input content, arranged as an aggregated whole, and thus also does not teach or suggest a “*data set*” according to Claim 1.

In summary, it is submitted that *Taguchi* does not suggest or disclose formation or processing of a *data set*, *being* one of more items of multi-media input content, arranged as an aggregated whole, as recited in Claim 1.

APPLYING THE TEMPLATE TO “PART OF THE DATA SET”

In the *Taguchi* system, a scenario template (e.g., shown in Fig. 7) is selected from a storage block 107 and applied to the media data collection shown in Fig. 8 with a result shown in Fig. 9 (column 6, lines 14-22). Fig. 9 shows how in a first scenario, individual content items (e.g., having ID numbers 1,4,2,3, in row 2, column 3 of Fig. 9) are to be processed according to template no. 1 (which is shown in Fig. 7). Thus the attributes of “Presentation Position”, “Presentation Time”, and “Presentation Effect” in Fig. 7 are applied to the aforementioned individual content items to produce scenario 1. It is apparent that the attributes in Fig. 7 are applied to individual media items from Fig. 8. Thus for example, in scenario 1, the image with ID No. 1 is to be shown in a Presentation Position wherein the image has its left upper coordinate at (10,10). The image no. 1 is to start at time of “0” seconds, and a cut/wipe effect is to be applied between the image no. 1 and the next content item which is a text content item.

It is apparent that the template rules in Fig. 7 are applied by *Taguchi* to individual content items having IDs 1,4,2,3 for scenario 1 (see Fig. 9). In other words, the template rules for “Presentation position”, “Presentation Time” and “Presentation Effect” are applied to individual data items.

Applicants submit that nothing found, or pointed out, in *Taguchi* would teach or suggest *a method of processing at least part of a data set*, as recited in Claim 1. *Taguchi* also does not teach or suggest aggregating individual content items into *a data set*. Even if *Taguchi* be deemed to disclose application of scenario template rules to individual content files, that does not teach or suggest processing of *parts of a data set*. The striking advantage of the present invention (as set out in the present independent claims) is that the rules and algorithms in the template are not applied only at media item boundaries, as is the case in *Taguchi*, but within media items as well, since the individual media items in the present application are collected into an aggregated whole, of which parts can be processed. This is an impressive advantage over *Taguchi*. *Taguchi* is silent in regard to intra-media item processing.

In summary, it is submitted that *Taguchi* does not suggest or disclose a method of processing *at least part of a data set* according to Claim 1.

The Examiner concedes that *Taguchi* does not explicitly disclose “the meta data”, and calls to aid *Microsoft* in this regard.

Even if *Taguchi* and *Microsoft* are combined as proposed by the Examiner (and even if one assumes that the proposed combination would be proper), the combination still does not suggest a *method of processing at least part of a data set*, as recited in Claim 1. In order to establish a *prima facie* case of obviousness the combined references must teach or suggest all claim limitations, which these references patently fail to do, and accordingly, it is submitted that Claim 1 is allowable over *Taguchi* and *Microsoft*, whether these citations are taken alone or in combination.

In paragraph 11 of the Office Action, the Examiner rejects Claims 2, 7, 8 and 13 as being unpatentable over *Taguchi - Microsoft* as applied to Claims 1, 3, 4, 6, 15 and 16, and further in view of *Gill*.

Gill relates to a multi-media presentation system for coordinating access, by multiple parties, to multi-media presentation data and related information. (Abstract). *Gill* is primarily concerned with coordinating multiple parties who wish to modify content contained in the same item file, while certain of the records that include useful information related to the item file are separately available for other network staff members to modify (Abstract). *Gill* does not teach or suggest *a data set or a method of processing at least part of a data set* as recited in these claims.

Claims 2, 7, 8 and 13 also recite *a method of processing at least part of a data set*. Even if *Taguchi, Microsoft* and *Gill* are combined as proposed by the Examiner, the combination (assuming it would be a proper combination) still does not disclose *a data set or a method of processing at least part of a data set* according to the present application. For at least this reason, it is submitted that Claims 2, 7, 8 and 13 are patentable over *Taguchi, Microsoft*, and *Gill*, whether these citations are taken alone or in combination.

In paragraph 12 of the Office Action, the Examiner rejects Claims 9, 10, and 14 as being unpatentable over *Taguchi* in view of *Gill*.

Claims 9, 10, and 14 also recite *a method of processing at least part of a data set*. Even if *Taguchi* and *Gill* are combined as proposed by the Examiner, the combination still does not teach or suggest *a data set or a method of processing at least*

part of a data set according to the present application. Accordingly, it is submitted that Claims 9, 10 and 14 are patentable over *Taguchi* and *Gill*, whether these citations are taken alone or in combination.

In paragraph 13 of the Office Action, the Examiner rejects Claims 5, 11 and 12 as being unpatentable over *Taguchi-Microsoft-Gill* and further in view of *Jain*.

Jain relates to live capture of multi-media data (column 6, lines 9-13). The *Jain* apparatus also “can accept and subsequently synchronize ... multiple live video information streams...multiple line audio information streams” (column 16, lines 35-39). *Jain* does not, however, disclose or suggest *a data set or a method of processing at least part of the data set*.

Claims 5, 11 and 12 also recite *a method of processing at least part of a data set*. Even if *Taguchi*, *Microsoft*, *Gill* and *Jain* are combined as proposed by the Examiner, the combination still does not disclose *a data set or a method of processing at least part of a data set*, and accordingly, it is submitted that Claims 5, 11 and 12 are patentable over *Taguchi*, *Microsoft*, *Gill* and *Jain*, whether these citations are taken alone or in combination.

A review of the other art of record has failed to reveal anything, which in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed to be patentable over the other art of record.

The dependent claims in this application are each believed patentable for the same reasons as are their respective base claims. Since each dependent claim is also

deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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